

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ABBOTT GMBH & CO., KG, AND)	
ABBOTT BIORESEARCH CENTER, INC.)	C.A. No. 4:09-CV-11340 (FDS)
)	
Plaintiffs,)	
)	JURY TRIAL DEMANDED
v.)	
)	
CENTOCOR ORTHO BIOTECH, INC.,)	
)	
Defendant.)	

~~PROPOSED~~ AMENDED INITIAL SCHEDULING ORDER

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(g) the Court ORDERS that the Initial Scheduling Order (Dkt. #44) be amended to include the following additional fact discovery deadlines:

- The Parties will make its election as to whether to waive privilege with regards to opinions of counsel within (10) days of the Court's *Markman* order;
- If a Party elects to waive privilege, all relevant and responsive documents will be produced and all relevant written discovery responses supplemented within twenty (20) days of the Court's *Markman* order; and
- If a Party elects to waive privilege, depositions (both individuals and 30(b)(6) depositions) will be scheduled within thirty-five (35) days of the Court's *Markman* order.

All other deadlines remain unchanged.

ORDERED this 12th day of May, 2010.



JUDGE F. DENNIS SAYLOR, IV
UNITED STATES DISTRICT JUDGE